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11 ATTORNEYS FOR DEFENDANTS

12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF ARIZONA**

14 CRYSTAL MARIE ENDERA, as next of
15 kin of Edward Else, deceased,

16 Plaintiff,

17 vs.

18 DARLENE WOODLIFF and JOHN DOE
19 WOODLIFF, wife and husband; MIAMI
20 POLICE DEPARTMENT; TOWN OF
21 MIAMI, an Arizona government entity;
22 JOHN DOES and/or JANE DOES I-X,
23 BLACK CORPORATIONS and/or WHITE
24 LIMITED PARTNERSHIPS I-X,

25 Defendants.

NO.

Gila County Superior Court
No. S0400CV202200120

NOTICE OF REMOVAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

Pursuant to 28 U.S.C. § § 1441, 1446, 1332 and Local Rule of Civil Procedure 3.6,
Defendants Darlene Woodliff, Miami Police Department, and Town of Miami submit this
Notice of Removal based on the following grounds:

1. On April 25, 2022, an action was commenced in the Superior Court for the
State of Arizona, Gila County, a state court within the District Court of Arizona, styled

1 *Crystal Marie Endera v. Darlene Woodliff and John Doe Woodliff, Miami Police*
2 *Department, and Town of Miami*, Case No. S0400CV202200120 (State Court action).

3 **Exhibit A.**

4 2. Plaintiff Endera caused the State Court action to be served on Darlene
5 Woodliff on May 4, 2022. **Exhibit B.**

6 3. Plaintiff Endera caused the State Court action to be served on the Town of
7 Miami and Miami Police Department on May 6, 2022. **Exhibit C.**

8 4. Both dates of service are within 30 days of removal.

9 5. This matter arises out of claims that Defendants violated 42 U.S.C. § 1983 and
10 Arizona law by Violation of Civil and Constitutional rights of Familial Association and
11 negligence.

12 6. The State action is removable under 28 U.S.C. §1331 because the claim
13 asserted by Plaintiff arises under the laws of the United States

14 7. Notice of removal is timely pursuant to 28 U.S.C. § 1446(b) because it is filed
15 within 30 days of Defendants' receipt, through service of a copy of the initial pleadings.

16 8. Pursuant to LR CIV 3.6(a), a copy of this Notice has been filed with the Clerk
17 of the Superior Court for Gila County. Pursuant to 28 U.S.C § 1446(a), undersigned counsel
18 herby verifies that true and correct copies of the docket and all documents filed in the State
19 action are attached hereto as **Exhibit D.**

20 9. Written notice of the filing of this Notice of Removal will be given to all
21 adverse parties as required by law and a true and correct copy of this Notice will be filed
22 with the Clerk of the Superior Court of the State of Arizona, in and for the County of Gila.

23 WHEREFORE, Defendants respectfully request that the above-captioned matter be

24 ///

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1 removed from the Arizona Superior Court in and for Gila County to the United States
2 District Court, District of Arizona.

3 DATED this 2nd day of June, 2022.

4 DOYLE HERNANDEZ MILLAM

5
6 By /s/ William H. Doyle
7 William H. Doyle
8 Brandon D. Millam
9 1313 E. Osborn Road, Suite 220
10 Phoenix, Arizona 85014
11 Attorneys for Defendants Darlene Woodliff,
12 Miami Police Department and Town of Miami

13
14 **CERTIFICATE OF SERVICE**

15 I hereby certify that on the 2nd day of June, 2022, a copy of the foregoing has been
16 transmitted electronically to CM-ECF filing system for filing and transmittal along with
17 copies transmitted to the following parties via the CM-ECF system.
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26 *Attorneys for Plaintiff*

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/s/ J. Proffitt